REMARKS

Claims 1-4, 6-10, 12-19, 21-28, 30-32, and 34-38 are pending. Claims 1-4, 6-10, 12-19, 21-28, 30-32, and 34-38 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,311,180 to Fogarty in view of U.S. Patent Application Publication No. 2004/0205118 to Yu.

Reconsideration is requested. The rejections are traversed. No new matter is added. Claims 1, 6, 15, 24, and 35-37 are amended. Claims 12, 21, and 30 are canceled. Claims 1-4, 6-10, 13-19, 22-28, 31-32, and 34-38 remain in the case for consideration.

REJECTION UNDER 35 USC § 103(a)

Claim 1 is directed towards an apparatus for determining a language for a user, comprising: a first computer; a directory entry for the user, the directory entry stored in the first computer and including identity information for the user; location information for a location of a second computer from which the first computer can be accessed; means for determining browser information for a browser stored on the second computer; a ranker for ranking a plurality of languages based on at least the directory entry, the location information, and the browser information; and a selector for selecting one of the plurality of languages with a highest rank.

Claim 6 is directed towards a method for determining a preferred language for a user, comprising: logging the user into a first computer from a second computer with login information; using the login information to identify a directory entry for the user; determining a first language from the directory entry for the user; determining a second language based on a location of the user at the second computer; determining a third language from a browser; ranking the first, second, and third languages; and selecting a highest ranked language as the preferred language.

Claim 15 is directed towards a computer-readable media containing a program to determine a preferred language for a user, the program comprising: logging software to log the user into a first computer from a second computer with login information; using software to use the login information to identify a directory entry for the user; identification software to identify a first language from the directory entry for the user; identification software to identify a second

language based on a location of the user at the second computer; identification software to identify a third language from a browser; ranking software to rank the first, second, and third languages; and selection software to select a highest ranked language as the preferred language.

Claim 24 is directed towards an article comprising: a computer-readable modulated carrier signal; means embedded in the signal for logging a user in to a first computer from a second computer with login information; means embedded in the signal for using the login information to identify a directory entry for the user; means embedded in the signal for identifying a first language from the directory entry for the user; means embedded in the signal for identifying a second language based on a location of the user at the second computer; means embedded in the signal for determining a third language from a browser; means embedded in the signal for ranking the first, second, and third languages; and means embedded in the signal for selecting as a preferred language a highest ranked language.

In contrast, Fogarty teaches a method for mapping and formatting information for a display device. In column 7, lines 52-60, Fogarty teaches that "in the user specific language prioritization 620, the text string portion, regardless of which natural language it is written, is compared against information contained in the user profile. The user profile indicates languages that the user is capable of understanding and the user's recommendation of preferred languages. Based on this information, the text portion is ranked by the LANGUAGE parameter from the most preferred language to the least."

Column 7, line 61 to column 8, line 4 of Fogarty teaches that "[i]n the locale specific language prioritization process 622, the languages used for the text portion are compared to the popular languages used in the locale where the user lives. The value of the LANGUAGE parameter is incremented by 'n,' where 'n' is the population percentage using that language in the locale. For example, if the user lives in Texas, Spanish will be a popular language other than English. Consequently, the value for the LANGUAGE parameter for text strings in Spanish will be incremented in proportion to the percentage of Spanish speaking residents in Texas."

Fogarty teaches in column 8, lines 5-13 that "[a]fter the text strings are prioritized based on natural languages, a determination is made as to whether or not the information can be appropriately displayed on the display device."

On page 4 of the Office Action dated June 26, 2006, the Examiner acknowledges that "Fogarty does not teach location information for a location from which the first computer can be accessed." The Examiner cites to Yu as teaching this claimed feature. The Examiner has not cited to Yu as teaching any other claim feature, and the Applicant believe that Yu does not teach any other claim feature.

Claim 1has been amended to recite "ranking a plurality of languages based on at least the directory entry, the location information, and the browser information" Claim 6 has been amended to recite "determining a third language from a browser; ranking the first, second, and third languages." This feature was previously in claim 12, which is now canceled. Claims 15 and 24 have similarly been amended to include features from claims 21 and 30 (also canceled).

In rejecting claims 12, 21, and 30, the Examiner cites to column 7, line 53 to column 8, line 14 of Fogarty. It appears that the Examiner is arguing that because Fogarty teaches the ranking of languages, Fogarty teaches or suggests the ranking of three languages.

However, claim 1 recites using browser information along with a language preference, and the location of the user to prioritize a language. Claims 6, 15, and 24 each recite that the third language comes from a browser. The Examiner has not cited to any portion of Fogarty that teaches or suggests obtaining language information from a browser. While Fogarty does mention a browser, Fogarty does not teach or suggest using the browser to determine a language that might be included in the language ranking. Further, Yu does not teach or suggest this claimed feature. In fact, Yu does not even mention a browser.

Page 7, lines 6-8 of the specification teaches that "the user's browser can also provide a language. (In fact, the user's browser can provide a list of languages, which can be used in constructing a ranked list of languages...)." On page 7, lines 26-27, the specification also describes that "where the user has multiple preferred languages (derived from any or all of the user's identity information, container inheritance, location, or browser), the languages are preferably prioritized."

Because Fogarty and Yu do not teach or suggest obtaining language information from a browser, claims 1, 6, 15, and 24 are patentable under 35 U.S.C. §103(a) over Fogarty in view of Yu. Accordingly, claims 1, 6, 15, and 24 are allowable, as are dependent claims 2-4, 7-10, 12-14, 16-19, 21-23, 25-28, 30-32, and 34-38.

Claim 3 is directed towards an apparatus according to claim 1, further comprising: a container hierarchy, the container hierarchy including at least a first container, the first container including a second container, the second container including the directory entry; and the second container including a default language.

Claim 38 is directed towards an apparatus according to claim 3, wherein: the first container includes a second default language; and the directory entry can inherit the second default language from the first container.

Page 5, lines 13-21 of the specification explains that "[i]n FIG. 3, root 305 is the root of a container hierarchy. There are three containers below root 305: container 1 (310), container 2 (315), and container 3 (320). Each of containers 1 (310), 2 (315), and 3 (320) represent a group of employees, perhaps categorized by native language. For example, container 3 (320) includes directory entries for people who are native Russian speakers. A person skilled in the art will recognize that there are numerous variations on FIG. 3. For example, there can be fewer or more than three containers below root 305, the containers can reflect a different hierarchy than native language (such as group employment), there can be fewer or more than three employees within a container, etc."

Organizing groups into nested containers allows flexibility in determining a language to display for a user. For example, page 5, lines 22-29 of the specification describes the effects of associating Russian to Group 3. "Container 3 (320) is expanded, and shows directory entries for three individuals. Directory entry 325 is for Pete Public, directory entry 330 is for Mary Smith, and directory entry 335 is for John Doe. Because the directory entries for Pete Public, Mary Smith, and John Doe are all within container 3 (320), which has a default language of Russian, Pete Public, Mary Smith, and John Doe are presumed to be native Russian speakers."

In addition to associating a language to a user based on the user's group membership, the user can also be assigned languages directly. Page 6, lines 4-9 of the specification explains, "directory entry 330 for Mary Smith specifies a preferred language of Russian. As described above with reference to FIG. 2, when a preferred language is found in the user's identity information, it is used by the portal server to provide content to the user in the preferred language. The fact that Mary inherits Russian as a default language from container 3 (320) does not prevent her from making explicit her preference for Russian."

Page 6, lines 10-18 describes a situation with more complexity, saying that "[d]irectory entry 335 for John Doe presents a different situation. John Doe has specified two preferred languages: English and Spanish. There are two points of interest relating to directory entry 335. First, directory entry 335 specifies more than one language. Since some users are multi-lingual, it is useful to allow the users to specify all the languages they are comfortable with. For example, consider the situation where a content page is available only in English and Japanese (specifically, the content page is not available in either Spanish or Russian). Clearly, in such a situation, John Doe would prefer the English version of the content page. Conversely, if the content page is available in Spanish but not English, the Spanish version of the content page is preferable over any other language."

On pages 4 and 5 of the Office Action dated June 26, 2006, the Examiner rejects claims 3 and 38, arguing that Fogarty teaches a "first container (storing languages the user is able to understand, col. 7, lines 55-60), the first container including a second container (storing location information for the user, each location having specific language information, col. 7, line 60 through col. 8, line 4), the second container including the directory entry (directory entries for each user that is located in Texas, col. 7, lines 60-67); and the second container including a default language (default language for Texas being English, col. 7, lines 60-67)."

The Applicant fails to see any containers in Fogarty. In column 7, Fogarty teaches a user identity, but Fogarty says nothing about a container storing the user identities. In column 4, lines 56-58, Fogarty teaches that "[t]he mapping system 306 may have a user database which stores a series of user profiles, each user profile defining viewing preferences indicated by a user." Other than saying that the user profiles are stored in a database, Fogarty does not teach or suggest a container such as recited in claims 3 and 38.

Instead, it appears that the Examiner is impermissibly using hindsight to read containers into the reference, where no such containers exist. All that the Examiner is doing is generalizing themes that might be present in Fogarty, and then arguing that these themes are a container. However, Fogarty does not provide the organization of containers nested inside one another.

Finally, the Examiner has not cited to Yu as teaching a container hierarchy, and the Applicant does not believe that Yu teaches or suggests the claimed container hierarchy. As shown in FIG. 3 of the specification, a container hierarchy is a set of containers that store other containers or directory entries. Claim 3 recites "the container hierarchy including at least a first

container, the first container including a second container, the second container including the directory entry". The language of claim 3 means that there is at least one container between the directory entry and the first container.

Fogarty does not teach or suggest any containers, let alone a container hierarchy with nested containers. The closest Fogarty comes to teaching a container is the teaching that user identifies are stored in a user database. But the database of Fogarty is not analogous to the container hierarchy of claims 3 and 38 because Fogarty's user database does not store another container that stores user identities.

Thus, because Fogarty and Yu fail to teach or suggest a container hierarchy, claims 3 and 38 are patentable under 35 U.S.C. §103(a) over Fogarty in view of Yu. Accordingly, claims 3 and 38 are allowable.

For the foregoing reasons, reconsideration and allowance of claims 1-4, 6-10, 12-19, 21-28, 30-32, and 34-38 of the application as amended is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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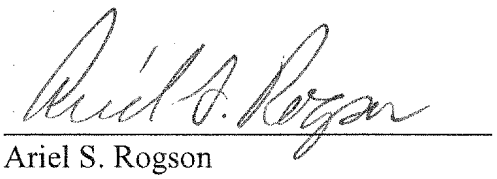

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